IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTIETH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 23675 of 1995

Between:

1.Radheshyam Sharma S/o Madanlal Sharma, aged 53 years,
Occ: Pujari, R/o. Ram Mandir, Lashkar Bazar, Hanamkonda, Warangal.
2.Ghanshyam Sharma S/o Madanlal Sharma, aged 48 years,
Occ: Pujari, R/o. Ram Mandir, Lashkar Bazar, Hanamkonda, Warangal.
3.Jitender Sharma, S/o. Madanlal Sharma, aged 34 years, Occ: Pujari,
R/o. Ram Mandir, Lashkar Bazar, Hanamkonda, Warangal.
4.Saraswathi Sharma, W/o. R.P. Sharma, aged 40 years, Occ: Teacher,
R/o. Ram Mandir, Lashkar Bazar, Hanamkonda, Warangal.
5.Ambika Sharma, W/o. Prakash Vyas, aged 32 years, Occ: Household,
R/o. Nandurbar, District: Dhulia, Maharastra.
6.Sri Ramchanderji Diety, rep., by its hereditary Trustee/Next Friend

Ghanshyam Sharma, S/o. Madanlal Sharma, aged 48 years, Occ: Pujari,

R/o. Ram Mandir, Lashkar Bazar, Hanamkonda, Warangal.

..... PETITIONERS

AND

1.Kakatiya Urban Development Authority, Warangal,

through its Vice-Chairman.
2.Municipal Corporation, Warangal, through its Commissioner.
3.Shalini Mishra I.A.S., W/o Ajay Mishra, aged 32 years,

Occ: Municipal Commissioner, Municipal Corporation, Warangal
and Vice-Chairman, KUDA, Warangal, R/o. Collector's Bungalow,

Subedari, Hanamkonda, Warangal
4.The Superintendent of Police, Warangal
5.The State of A.P., rep., by the Chief Secretary. A.P. Secretariat Buildings,
Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of certiorised mandamus or any other appropriate writ direction or order 1) declaring the notice ROC No. 14/7ps-11/95 dt. 10/3/95 served on 18/4/95 (annexure XIV) as illegal, unreasonable capricious and devoid of authority and jurisdiction 2) direct the respondents jointly and or severally to restore status quo ante by constructing houses with all amenities available as on 18/04/95 or provide compensation in the amount of Rs.10,00,000 towards loss of structures. 3) Award compensation for deprivation of livelihood and shelter in a sum of Rs.2,00,000 or in the alternative pay of Rs.2,000/- per 19/10/95.

For the Petitioner: MR.BANKATLAL MANDHANI, ADVOCATE

For the Respondent Nos.2&3: MR.K.VENUGOPAL REDDY, STANDING COUNSEL FOR MUNICIPAL CORPOPRATION OF WARANGAL

For the Respondents1, 4 & 5: NONE APPEARED.

The Court made the following:

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ORAL ORDER:

It is represented by the learned counsel for the petitioners that since a civil suit

had been filed pursuant to the demolition of certain structures made by the petitioners and damages have already been awarded, nothing remains for adjudication in the present writ petition.

Recording the submission made by the learned counsel for the petitioners, the writ petition is dismissed as having become infructuous. However, there shall be no order as to costs.

D.S.R.VARMA, J

30TH SEPTEMBER 2004

KRK

To:

1.The Vice-Chairman, Kakatiya Urban Development Authority, Warangal.

2.The Commissioner, Municipal Corporation, Warangal.
3.Smt. Shalini Mishra I.A.S., W/o Ajay Mishra, aged 32 years, Municipal Commissioner, Municipal Corporation, Warangal and Vice-Chairman, KUDA, Warangal, R/o. Collector's Bungalow, Subedari, Hanamkonda, Warangal
4.The Superintendent of Police, Warangal
5.The Chief Secretary, Government of Andhra Pradesh, A.P. Secretariat Buildings, Hyderabad.

6.Two C.D. copies.